

**General Assembly**

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Agenda item 112 (c)

**Elections to fill vacancies in subsidiary organs and other
elections: election of 47 members of the Human Rights Council**

**Note verbale dated 6 April 2006 from the Permanent
Mission of Mauritius to the United Nations addressed
to the President of the General Assembly**

The Permanent Mission of the Republic of Mauritius to the United Nations presents its compliments to the President of the sixtieth session of the United Nations General Assembly and has the honour to inform him that the Government of the Republic of Mauritius has decided to present its candidature for membership to the United Nations Human Rights Council at the elections to be held during the General Assembly session in New York on 9 May 2006.

Mauritius attaches the utmost importance to the promotion and protection of human rights and supports all international and regional efforts aimed at the advancement of human rights and fundamental freedoms, democracy and good governance and rule of law.

Mauritius is a party to all major international human rights instruments and always upholds the primary role of the United Nations in the promotion and protection of human rights. The establishment of the Human Rights Council strengthens further the human rights system within the United Nations and, in seeking membership in the newly created Council, Mauritius underscores its firm commitment to contribute effectively in the work and activities of the Council.

The Government of the Republic of Mauritius is also deeply committed to upholding the highest standards in the promotion and protection of human rights and will shortly submit its voluntary pledges and commitments in accordance with resolution 60/251.



**Annex to the note verbale dated 6 April 2006 from the
Permanent Mission of Mauritius to the United Nations
addressed to the President of the General Assembly**

The Permanent Mission of the Republic of Mauritius to the United Nations presents its compliments to the President of the sixtieth session of the United Nations General Assembly and with reference to its note dated 6 April 2006, regarding the candidature of the Republic of Mauritius to the United Nations Human Rights Council, has the honour to forward herewith its voluntary pledges and commitments in accordance with resolution 60/251.

Enclosure**Mauritius****Voluntary pledges and commitments in accordance with
resolution 60/251**

The Republic of Mauritius has always been committed to the promotion and protection of Human Rights at national, regional and international levels. The Government of Mauritius strongly believes that citizens should be at the core of all forms of human rights including the right to economic, cultural and social development and that the people should enjoy all their political and civil rights indiscriminately and irrespective of their status. Mauritius is party to most of the core international human rights instruments and has enacted comprehensive legislation for the protection and promotion of human rights and fundamental freedoms and ensures their implementation.

National Level

- The respect and protection of human rights is enshrined in the Constitution of Mauritius and since its independence, the Republic of Mauritius remains deeply committed to building a civil society based on democracy, good governance, rule of law and protection of human rights and fundamental freedoms.
- The National Human Rights Commission was set up in April 2001 under the Protection of Human Rights Act 1998 in line with the United Nations guidelines governing such institutions.
- The Commission ensures that there is compliance with the fundamental rights and freedoms of the individual enshrined in Chapter II of the Constitution. It also has the power to enquire into any written complaints from any person alleging that any of his human rights has been, is being or is likely to be violated by the act of omission of any other person acting in the performance of any public function conferred by any law or otherwise in the performance of the functions of any public office or any public body. The Commission can equally enquire into any other written complaint from any person against an act or omission of the police force in relation to him. Visits can be effected to any police station, prison or other place of detention under the control of the State to study the living conditions of the detainees and the treatment afforded to them. In 2003, a Sex Discrimination Division was created within the National Human Rights Commission under the Sex Discrimination Act 2002 to deal with cases of sex discrimination and sexual harassment. The Sex Discrimination Division also has the power to deal with complaints within the private sector as well.
- The Office of the Ombudsperson for children was established under the Ombudsperson for Children Act in 2003. The Ombudsperson for Children has the duty of promoting compliance with the Convention on the Rights of the Child (CRC) and investigating possible violations of the rights of a child.
- In December 2005, the Child Protection Act was amended in order to provide for the offences of 'child trafficking', 'abandonment of child' and 'abducting child'.
- Regarding the issue of child abuse and child prostitution, Mauritius signed in 2001 the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child

Prostitution and Child Pornography. Mauritius also acceded to the United Nations "Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime" in September 2003.

- Mauritius is currently considering the following legislative measures to promote Human Rights :
 - (i) The Equal Opportunities Bill;
 - (ii) A Draft Bill for the Family Court;
 - (iii) An amendment to the law on custodial sentences for civil debtors;
 - (iv) A Disability Discrimination Bill which will include inclusive education for disabled children;
 - (iv) An HIV/AIDS Bill;
 - (v) Reform of the law dealing with administration of juvenile justice;
 - (vi) A Children's Act which will review all legislations pertaining to children.
- With the help of UNDP, Mauritius has developed a national human rights strategy on 10 December 2005. There is provision for setting up a HUMAN RIGHTS CENTRE with regional sub-centre all over the island and one in Rodrigues. The Centre will be a Resource Centre to sensitize people about Human Rights and International Instruments.

Regional Level

- Mauritius has signed the African Charter of Human and People's Rights and ratified the said Charter on 19 June 1992. Mauritius has equally signed the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa at the Abuja AU Meeting in January 2005. Mauritius has, however, made reservations on Articles 6(b), 6(c), 10(2)(d), 11 and 14(2) (c). Mauritius has further ratified the African Charter on the Rights and Welfare of the Child and the Protocol to the African Charter on Human and People's Rights on the establishment of the African Court on Human and People's Rights.
- Mauritius has hosted a series of conferences/meetings on human rights issues. In relation to the African Court of Justice, Mauritius hosted both the meeting of Experts/Judges and Permanent Representatives from 4 - 6 June 2003 and the First Ministerial Meeting of Ministers of Justice of the African Union from 7 - 8 June 2003 at the Grand Bay International Conference Centre. A seminar was organized on « *Sensibilisation sur la ratification et la mise en oeuvre du statut de Rome de la Cour Pénale internationale* » from 27 - 29 May 2002 jointly by the Attorney-General's Office and the « Agence Intergouvernementale de la Francophonie ».

From 10 - 12 September 2003, the Office of the United Nations High Commissioner for Human Rights in collaboration with the Attorney General's Office, organised a Regional Workshop on Human Rights and Good Governance.

Mauritius has also hosted the "Rencontre Conjointe du Bureau du Comité de Suivi de la Conférence des Structures Gouvernementales Chargées des droits de l'Homme dans l'Espace Francophonie et des Réseaux Institutionnels de la Francophonie" from 19 – 21 July 2005.

- Mauritius is one among the first African countries to have volunteered to be reviewed under the NEPAD Peer Review Mechanism.

International Level

- Mauritius pursues a policy of active cooperation with international organizations and their respective bodies and institutions in the field of human rights and fundamental freedoms. It is deeply committed to uphold the highest standards in the promotion and protection of human rights.
- Mauritius upholds the primary role of the United Nations in the promotion and protection of human rights.
- Mauritius was a member of the Commission on Human Rights in 1971-1973, 1993-1995 and 1999-2001.
- Mauritius is party to six of the seven core international human rights treaties as follows -
 - (i) The International Convention on the Elimination of All Forms of Racial Discrimination;
 - (ii) International Covenant on Civil and Political Rights;
 - (iii) International Covenant on Economic, Social and Cultural Rights;
 - (iv) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and
 - (v) Convention on the Rights of the Child (CRC).
 - (vi) Convention on the Elimination of All Forms of Discrimination against Women.
- Mauritius has ratified the Optional Protocol of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- Mauritius is also party to the Rome Statute of the International Criminal Court.
- Despite its limited resources, Mauritius has consistently fulfilled its reporting obligations by submitted regularly periodic reports to the various human rights treaties. Mauritius has also submitted reports to the various Committees monitoring the international treaties.

If elected to the Human Rights Council,

the Government of Mauritius undertakes to -

- continue to uphold the primacy of democracy, good governance and development as key tenets in the promotion of human rights of its citizens and strengthen national institutions that guarantee best these rights;

- continue to play a constructive role in the advancement of human rights and fundamental freedoms and further contribute to the enhancement of United Nations human rights activities;
- participate actively in the work of Council for the promotion and protection of all human rights in a spirit of impartiality, objectivity and non-selectivity, constructive dialogue and cooperation;
- be reviewed under the universal periodic review mechanism; and
- support international efforts to enhance inter cultural dialogue and understanding among civilizations, cultures and religions with a view to facilitate the universal respect for all human rights given that Mauritius is a multi-racial and multi-ethnic country.